

Order

Michigan Supreme Court
Lansing, Michigan

February 1, 2008

Clifford W. Taylor,
Chief Justice

132363

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

ROBERSON BUILDERS, INC.,
Plaintiff/Counter-Defendant-
Appellant,

v

SC: 132363
COA: 260039
Midland CC: 03-005718-CZ

JAMES LARSON,
Defendant/Counter-Plaintiff-
Appellee.

On order of the Court, the application for leave to appeal the September 19, 2006 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address (1) whether a claim for setoff is a counterclaim or an affirmative defense and (2) whether asserting a claim for a setoff as a defense to another party's claim amounts to "bring[ing] or maintain[ing] an action in a court of this state for the collection of compensation" under MCL 339.2412(1).



s0129

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 1, 2008

Corbin R. Davis

Clerk